

JAN 28 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DANNY JAMES COHEA,

Petitioner - Appellant,

v.

LARRY E. SCRIBNER, Warden,

Respondent - Appellee.

No. 08-55238

D.C. No. CV-07-02013-JAH

MEMORANDUM^{*}

Appeal from the United States District Court
for the Southern District of California
John A. Houston, District Judge, Presiding

Submitted January 20, 2009^{**}

Before: O'SCANNLAIN, SILVERMAN and BYBEE, Circuit Judges.

Upon review of the record and the parties' briefs, this court hereby
summarily affirms the district court's order denying appellant's request for

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

preliminary injunctive relief. *See United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) (per curiam) (summary affirmance appropriate where result is clear from face of record).

All pending motions are denied.

AFFIRMED.